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**Attorney for Defendant**  
**MARLON DANIEL SMITH**

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
MARLON DANIEL SMITH )  
 )  
Defendant. )

Case No. CR-08-117 VRW

**STIPULATION TO CONTINUE**  
**SENTENCING DATE AND**  
**~~PROPOSED~~ ORDER**

IT IS HEREBY STIPULATED by and between counsel for the UNITED STATES,  
Assistant U.S. Attorney TAREK J. HELOU, and counsel for the Defendant, Gilbert Eisenberg,  
that the sentencing date now set for December 17, 2009 at 2:00 PM be continued and reset for  
January 21, 2010 at 2:00 PM to allow defendant to complete the necessary investigation,  
preparation and drafting for the defendants individual Sentence Memorandum to the court. The  
Probation Officer assigned to this case, Ann Searles, has no objection to this Stipulation.

Dated: this 18th day of November, 2009.

/s/  
TAREK J. HELOU Esq.  
Assistant United States Attorney

1 Dated: this 18 th day of November 2009.

2  
3 /s/  
GILBERT EISENBERG, Esq.  
4 Counsel for Marlon Daniel Smith

5  
6 GOOD CAUSE APPEARING,

7 IT IS SO ORDERED.

8 Dated this 23rd day of Nov. 2009

